THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 19630 of 2004

Dated: 05.09.2005

Between

Venkataramana Ethipothala Padhakam rep., by its President K.V.Sambasiva Rao, s/o Nageswara Rao, aged 48 years, Veladikothapalem village, Chandarlapadu Mandal, Krishna District, Regd. No.26/2000.

..Petitioner

and

1.The District Collector, Krishna District, Machilipatnam and another

..Respondents

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WRIT PETITION NO : 19630 of 2004

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ORDER:

When the vacate stay petition filed by the respondents is listed for consideration, with the consent of both the parties, the writ petition itself is heard and decided.

The main writ petition is filed seeking a declaration that the action of the respondents in seeking to interfere with the affairs of the petitioner-society, on

the pretext of the purported inquiry through the proceedings of the 2nd respondent in Rc.No.3854/04-F dated 19.10.2004 issued at the instance of the 1st respondent as illegal and arbitrary.

This Court, by order dated 27.10.2004, granted interim stay of all further proceedings in pursuance of the impugned proceedings dated 19.10.2004.

When the matter is taken up for consideration, it is represented by the learned counsel for the petitioner as well as the learned Government Pleader that an identical issue has been decided by this Court in W.P.No.20713 of 2004, holding that under the A.P. Societies Registration Act, 2001 either the Registrar or Registrar General have no say in the internal management and disputes of the societies, and it is only for the members of the committee to raise a dispute. Accordingly, the said writ petition was allowed by setting aside the impugned proceedings, leaving it open for any of the members to raise disputes in accordance with law.

Following the said decision, the present writ petition is allowed, setting aside the impugned proceedings dated 19.10.2004. However, it is made clear that this shall not preclude the members of the petitioner-society to raise a dispute in accordance with law.

05.09.2005

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